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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jay Scott ANGLE, et al.

Art Unit: 1651

Application No.: 10/814,788

U.S. Patent No.: 7,214,516 B2

Filed: April 1, 2004

Issued: May 8, 2007

Attorney Dkt. No.: 058501.00047

For: BACTERIAL EFFECTS ON METAL ACCUMULATION BY PLANTS

**STATEMENT OF ASSERTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 16, 2007

Sir:

The above-referenced application was filed on April 1, 2004, as Large Entity. Applicants still claim large entity status under 37 CFR 1.27(g)(2). Applicants' Assignments indicate "Large Entity" and which have been recorded in the United States Patent & Trademark Office at Reel 017611, Frame 0123, on October 6, 2005; and Reel 016854, Frame 0993 on October 6, 2005.

Applicants note that, during the prosecution of this application, applicants underpaid certain filing fees in a good faith error without deceptive intent. Applicants underpaid the following fees:

08/17/2007 PAHRED1 00000111 10814788

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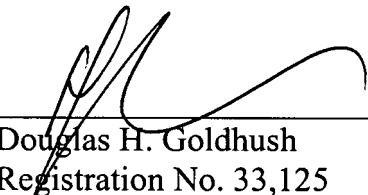
Applicants' response to the Notice to File Missing Parts, which was submitted on December 17, 2004; specifically, the applicants underpaid the payment of the surcharge

for the Notice to Filing Parts and the filing fees on December 17, 2004; and the payment of the Issue Fee which was submitted on October 27, 2006.

It is respectfully requested that the applicants herein submit additional fees in the amount of Two Thousand Five Hundred Sixty Five Dollars (\$2,565.00) to cover the surcharge fee (\$65), filing fee (\$1,800), and the issue fee (\$700) which were improperly submitted on December 17, 2004 and October 27, 2006. These errors occurred without deceptive intent.

The Commissioner is authorized to charge any fees deemed appropriate or credit any overpayments in relation to this communication to Counsel's Deposit Account No. 50-2222 via referencing Atty. Docket No. 058501-00047.

Respectfully submitted,



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Enclosure: Check No. 16913